

REMARKS

The Office Action of July 8, 2005 has been carefully studied. The following paragraphs correspond to the order of the paragraphs therein:

Information Disclosure Statement

Applicants regret that the foreign patent documents (cites number 822 and 823) were inadvertently omitted. Accordingly, they are now attached herewith. If there are any fees attendant to this submission of these inadvertently omitted documents, please deduct such a fee from Counsel's Deposit Account 19,544, a duplicate copy of this page being attached.

The Derwent document does not seem to be pertinent inasmuch as it is directed to the composition of the gasoline and not the process of making same.

The International Publication WO 96/18705 is directed to a process for the isomerization of a hydrocarbonaceous feed stock boiling in the gasoline range wherein the essence of the invention resides in the employment of a catalyst comprising in combination platinum and palladium in metallic form supported on an acidic amorphous alumina or molecular sieve. There is a statement on page 10, lines 26-30 regarding the recycling of unconverted linear paraffins which are separated from the branched paraffins downstream of the reaction zone and then recycled to the reaction zone, with separation being suitably carried out by means of a molecular sieve or by distillation. It is noteworthy that this statement in the reference omits the recycling of a stream containing mono-branched paraffins.

Double Patenting

With respect to the rejection under the judiciously created doctrine of obviousness-type double patenting over claims 1-3 of U.S. Patent No. 6,338,791, Applicants do not acquiesce to this rejection because the present claims have been amended on the one hand, and it is not conclusive as to what type of claims will be finally found to be allowable. In principle, however, Applicants will file a terminal disclaimer if an allowed claim does not disclose a second hydroisomerization zone.

With respect to the double patenting rejection over claims 17-38 of U.S. Patent No.

6,809,228, it is courteously pointed out that the present application has an effective U.S. filing date of November 25, 1998 as well as a priority date of November 25, 1997. U.S. patent 6,809,228, on the other, has a much later date of August 24, 2001. Consequently, it would not have been possible for the present applicants to include the improvement set forth in U.S. 6,809,228 since the latter patent is indeed an unobvious and patentable improvement over the teachings in the present application. Under such circumstances, it is respectfully submitted that it is proper to withdraw this double patenting rejection. However, if this becomes the only issue preventing the allowance of a patent in the present case, Applicants would relent and file a terminal disclaimer.

Claim Rejections - 35 U.S.C. 103

All the claims formerly at issue were rejected over Stem et al., U.S. 4,982,048. An essential teaching of this patent is that the feed be sent to a sophisticated separation zone so that a fraction from the separation zone can then be passed to an isomerization zone. (See column 1, lines 11-16, lines 41 to 45 as well as column 5, lines 22-24 and lines 44-48.) In contradistinction to this reference which clearly teaches one of ordinary skill in the art to employ a separation zone first and thereafter a hydroisomerization zone, the present set of claims are all restricted to the opposite, thereby flying in the face of the teachings of this reference. This is the essence of unobviousness. Consequently, Applicants need not discuss the dependent claims which are even more unobvious over the teachings of this reference.

Regarding the newly submitted published International Application WO 96/18705, the teaching therein indicates that the separation should be such so that linear paraffins can be recycled from the separation zone to the isomerization zone. In contradistinction, Applicants recycle not only linear paraffins but also mono-branched paraffins. This, in itself, is respectfully submitted to constitute an unobvious modification worthy of patent protection under 35 U.S.C. 103. As for claims that are dependent on claim 6 such as claims 12, and 14-20 as well as claim 25, these claims provide further details of Applicants' separation and therefore provide unobvious subject matter compared to the bare mention of separation by means of molecular sieve or distillation.

Even more unobvious is claim 7 which requires 2 hydroisomerization sections and recycling of 2 streams, one rich in straight chain paraffins which is recycled to the first hydroisomerization section and another stream rich in mono-branched paraffins which is recycled to an inlet of the second hydroisomerization section. This system is described in Fig. 2.1A. Thus, all claims dependent on claim 7 provide the claim with more unobvious subject matter and are clearly patentable.

Newly Added Claims

Newly added claim 38 which reads on Fig. 2.2A comprises at least two hydroisomerization sections and two separation sections, and is nowise suggested by the WO reference. Even though a stream from separation zone 4, rich in mono-branched and multi-branched paraffins is recycled to hydroisomerization zone 3, the fact remains that the feed enters hydroisomerization zone first before entering separation zone 4. New claim 39 reads on Fig. 2.2C wherein a stream from separation section 4, rich in mono-branched paraffins is passed to a second hydroisomerization zone 3 and from there in order to produce multi-branched paraffins, and the effluent from hydroisomerization zone 3 is then recycled to the separation zone 4.

New claims 40 and 41 mirror claims 14 and 15 but are dependent on claim 7. New claim 42 provides that the hydroisomerization is conducted with a catalyst consisting of at least one mono-functional catalyst, support for the term mono-functional catalyst being found on page 25, line 3 of the specification.

Amendment to the Specification

Applicants' Filing Receipt reflects that the present application is a continuation of application 09/517,071 which is a divisional of parent application 09/199,482. It is not known whether this information is automatically placed in the first paragraph of the patent or whether it is necessary to repeat same. Consequently, it is seen that the specification is amended to include this information, even though it may be redundant.

In view of the above remarks, favorable reconsideration is courteously requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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